

**COMMITTEE ON WATER AND SANITATION**  
(Standing Committee of Berkeley County Council)

**Chairman:** Mr. Timothy J. Callanan, Council Member District No. 2

A meeting of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, was held on **Monday, April 12, 2010**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 7:10 p.m.

**PRESENT:** Chairman Timothy J. Callanan, Council District No. 2; Committee Member Phillip Farley, Council District No. 1; Committee Member Robert O. Call, Jr., Council District No. 3; Committee Member Cathy S. Davis, Council District No. 4; Committee Member Dennis L. Fish, Council District No. 5; Committee Member Jack H. Schurlknight, Council District No. 6; Committee Member Caldwell Pinckney, Jr., Council District No. 7; Committee Member Steve C. Davis, Council District No. 8; Supervisor Daniel W. Davis, ex officio; Ms. Nicole Scott Ewing, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Callanan called the meeting to order and asked for approval of minutes from the meetings of the Committee on Water and Sanitation held March 8, 2010 and March 22, 2010.

Committee Member Call: "Mr. Chairman, I was not present at that meeting. The minutes show that I was. I'd like to make that correction."

Chairman Callanan: "Which one? The 8<sup>th</sup> or the 22<sup>nd</sup>?"

Committee Member Call: "The 8<sup>th</sup>,"

Chairman Callanan: "Ok, with the one correction of removing Mr. Call's name from the March 8, 2010 meeting, are there any other corrections? All those in favor signify by saying Aye (Ayes) Opposes Nay? (None) Minutes stand approved as amended."

It was moved by Committee Member Farley and seconded by Committee Member C. Davis to **approve** the minutes as amended. The motion passed by unanimous voice vote of the Committee.

**A. Mr. Darryl Bullock, Council of Governments, Re: Proclamation declaring April as Fair Housing Month.**

Mr. Bullock: "Thank you, Mr. Chairman. My name is Darryl Bullock. I'm with the Berkeley, Charleston, Dorchester Council of Governments. Each year as a part of the County's receipt of Community Development Block Grant funds, it undertakes an activity to further fair

housing and this a Proclamation whereby the month of April is proclaimed as Fair Housing Month as it is across the nation.”

It was moved by Committee Member Farley and seconded by Committee Member Fish to **approve** the Proclamation declaring April as **Fair Housing Month**. The motion passed by unanimous voice vote of the Committee.

**B. Mr. Micah Miley, Director of Engineering, Berkeley County Water and Sanitation,**  
Re: Central Berkeley Waste Water Treatment Plant increase in budget.

Mr. Miley: “Yes sir, we are coming to you to request the increase in budget. Last year’s had the project total cost at \$18,744,000. We have received bids for the project and need to increase the total budget to \$20,500,000 in order to cover the increase in the bids that we received. That does give us a 1% contingency fund still in there of \$200,000 inside of the budget.”

Committee Member Fish: “Mr. Chairman?”

Chairman Callanan: “Mr. Fish”

Committee Member Fish: “I guess...what’s the relation to this to the one that is on Public Works and Purchasing on the contract on Wastewater Plant Relocation?”

Mr. Miley: “The Public Works and Purchasing is to award the construction contract. There is not money in the budget to award a construction contract without this action.”

Committee Member Fish: “OK. Mr. Chairman, also if I might ask you, when’s the last time or do we have any valuation engineering report on this project?”

Mr. Miley: “You have an engineering report on this project that was issued...from an engineering report and it is three years old.”

Chairman Callanan: “Does the engineering report include whether....kinda of cost benefit analysis as to whether or not it’s beneficial to expand the existing water treatment plant or build an entire new one?”

Mr. Miley: “The PER did evaluate expansion of the site at its current location on the back of the Country Club or moving it to the location that we are proposing it and it did recommend moving to the location where these bids were received.”

Chairman Callanan: “And it was at a .....was it based on a certain dollar value?”

Mr. Miley: “It was, but basically the plant would have been the same in both locations. It’s just the.....”

Chairman Callanan: "So it would have cost \$20 million dollars if we put it.....if we expanded the plant at its current location?"

Mr. Miley: "That was the numbers in the PER, yes sir."

Chairman Callanan: "Ok.....and the uh, the only other question that I had, um, does the recent change in the State law, I know we were pushing for that .1 rule to change and that got enacted by the Governor in March, does that change anything with regard to any of these projects?"

Mr. Miley: "No sir. What the .1 rule looks more at is the Lower Berkeley plant. It's further down the Cooper River....."

Chairman Callanan: "OK, going this far up, it really doesn't affect us that much?"

Mr. Miley: "Correct. You don't have as much salinity moving back and forth during the tidal effect as you do at Lower Berkeley."

Chairman Callanan: "OK"

Committee Member S. Davis: "Mr. Chairman?"

Chairman Callanan: "Mr. Davis"

Committee Member S. Davis: "Yes, um, you know, I'm going to be upfront. Someone came to me who used to be over Berkeley Water & Sanitation and tells me we are about to make a \$30 million or a \$20 million dollar mistake. You alluded to the fact just now that the a recommendation was made for the movement to the new site. When was that recommendation made?"

Mr. Miley: "I'm gonna be wrong with my dates, because I have been horrible with dates, 06 or 07 was when the date was gonna be, but I can pull that PER and get you a copy."

Committee Member S. Davis: "And you also make reference to this evaluation that was raised the point that study is more than three years old itself."

Mr. Miley: "Yes sir. The principals inside of it are gonna be relatively the same as far as what you are evaluating and the construction costs between the two different sites. It's two different sites you have to transport raw sewer to get the site where it is currently or you transfer treated water from the site we are proposing now."

Committee Member S. Davis: "Another point that was brought to my attention says that is the natural flow of the sewer where it exists now and we going to be doing in reverse in relationship to sending it down to the central new location."

Mr. Miley: "The only flow that you are actually going to see reversed is what's at the Berkeley Country Club right now..."

Committee Member S. Davis: "That's what I'm talking about."

Mr. Miley: "And you are talking about, be slightly off on my numbers, about 250 residents out of the total 3 million gallons a day that is proposed to be collected by this. The plant is actually moved closer to the point. If you will remember where you are from the plant, from where we are proposing the plant today, you have the nursery and you have a number of large plantation tracts that are not planning on developing down by where the current plant is located now. Moving the plant actually moves it closer to where the sewer is going to be collected from."

Committee Member S. Davis: "Also, in relationship that what's going to happen to fifty acres out there? What are you going to do with that property at the old site when you abandon the old site?"

Mr. Miley: "That is a question for this Council to answer."

Committee Member S. Davis: "Well, that is the kinda of thing that Council needs to be made apprised of in reference to a decision that was made or recommendation that was made in 2006 under some different administration, somewhat. And to the present point, um, and I think why a more updated evaluation may be very helpful and informative of this County Council, especially when you think about all of the economic strife that this County has been in the last two years."

Mr. Miley: "If you would like the PER updated, we can do that."

Committee Member S. Davis: "That would be my suggestion as County Council that we do that. You know, this money has been sitting for some period of time, now all of a sudden there is tremendous urgency. I don't see why we can't wait until we get a new evaluation so we can be certain that we are doing what is proper in reference to the \$20 million dollars that we are about to expend at this critical time. That would be my motion that as you come forward tonight that we have a more recent evaluation to determine whether this cost effective and also whether the recommendation that was made over four years ago is still viable today."

Committee Member Schurlknight: "Second"

Chairman Callanan: "OK, so we've got a.....we've got a motion to um,....we have a motion to do a new, I guess, what is it a engineering valuation report or something?"

Mr. Miley: "Preliminary Engineering Report would be the word."

Chairman Callanan: "But just so my knowledge is correct on this.....that will actually...that case will be kinda like a cost benefit analysis of whether or not which....."

Mr. Miley: "We could evaluate the two sites and....."

Chairman Callanan: "And include both sites, ok. So, we have a motion to.....do we have to budget for this or are we all set on it?"

Mr. Miley: "You will have to pay for that, yes sir."

Chairman Callanan: "OK, so a motion to, I guess, approve the drafting of a new engineering report, a preliminary engineering report regarding the two sites, the existing site at Berkeley Country Club and the new Central Berkeley Wastewater Treatment Plant to determine cost benefit analysis of either expanding the existing site or building a new site. Is that about right?"

Mr. Miley: "I will draft....."

Committee Member S. Davis: "I'll go along with that Tim."

Chairman Callanan: "OK...and did I have a second on that?"

Committee Member Schurlknight: "Yes"

Chairman Callanan: "Alright, I have a second. Is there any further discussion?"

Committee Member Call: "Yes"

Chairman Callanan: "Ok, Mr. Call"

Committee Member Call: "Micah, I'm a little disoriented on some of these locations out there. I think I've asked you this question in another way. There was a project listed in the budget. I don't know if it is 2005 or 2006, called the Canterhill Project?"

Mr. Miley: "That is correct."

Committee Member Call: "I'm sorry?"

Mr. Miley: "That is correct. Canterhill Trunk."

Committee Member Call: "Is that a part of this?"

Mr. Miley: "Canterhill Trunk was restructured as the Central Berkeley Diversion is what it was called. Canterhill Trunk was to build a gravity line up from the lower Berkeley section towards just above Carnes Crossing. With the decision to move forward with expanding the Central Berkeley plant, those flows were directed towards Central instead of toward Lower.

Based on expansion elsewhere that took capacity away from that flow being able to come toward Lower.”

Committee Member Call: “That was before I got here. Is that.....how is that Canterhill project switched around to go to here. Did the Council do that?”

Mr. Miley: “I would honestly have to look back and see if that was a direction I was given or whether Council made action on that.”

Committee Member Call: “Ok, if you would include that in your.....”

Mr. Miley: “Will do”

Committee Member Call: “Thank you”

Supervisor D. Davis: “Mr. Chairman?”

Chairman Callanan: “Mr. Davis”

Supervisor D. Davis: “Could we ask.....I think there is going to be some implications of at this point of moving.....making decisions whether to build the Central Berkeley plant at the Landfill or at Berkeley Estates, the County Club Estates. Can we ask Micah to explain what the implications are?”

Mr. Miley: “First and foremost, the bids that were received for the current plant site will expire prior to being able to go through that sort of study, so you will have to rebid the plant. If the plant should....it should decide to move the plant, it will have to be re-permitted and re-designed and the infrastructure that is being designed and moving forward right now working toward where it is sitting now will have to be modified to get to the Berkeley County Club site.”

Committee Member S. Davis: “Mr. Chairman?”

Chairman Callanan: “Steve Davis, go ahead.”

Committee Member S. Davis: “I have those concerns, but the bottom line is going to make sure that we make the right decision and that is why I think it is important for this Council to have updated information. You gotta get it right. We haven’t even made a decision what we are going to do with fifty acres of land once you move this existing site to a new site. And I think all of that need to be factored in, especially with the County having all these dire financial consequences the last 24 months. And I share your concern, Mr. Supervisor, but I think it is impertinent that we have new updated information. And I think then this Council can be in a position to make more informed decision and that is the crux of my motion in reference to this issue us at this particular time.”

Supervisor D. Davis: “Mr. Chairman?”

Chairman Callanan: "Mr. Dan Davis"

Supervisor D. Davis: "I think the problem is that you know this project was funded and authorized long before many of us were here, but the preliminary engineering report was done and the decision made at that time based on that preliminary engineering report and now plans have been made to connect the sewer system at the Landfill. So, we may have different information today based on the growth of the county, the decision was already made where to locate the sewer treatment plant based on the information that we had then. Redesigning the project, the treatment plant, is going to be very expensive. I'm just....I understand what you are saying, but sometimes we've got to go on the information that I assume the Council....."

Committee Member S. Davis: "Well, we ain't been getting no good information back then. Different administration and on top of that, I think good sound leadership is if you are traveling down the road path and you are in the middle of the jungle and find you are going the wrong way, leadership mean you turn around and reassess the situation and that's where I think we need to do here before we make the wrong decision if that is where we are headed and I think this Preliminary Evaluation Report would make this Council much more fully aware of the decision that we are about to make." (Applause)

Chairman Callanan: "Is there any other further discussion on this? With no further discussion, we have a motion and a second to pursue the Evaluation Engineering report. All those in favor, signify by saying Aye? (Ayes) Opposes? (None) Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member Schurlknight to **approve** the drafting of a new **Preliminary Evaluation Report** regarding two sites, the existing site at Berkeley Country Club and the new Central Berkeley Wastewater Treatment Plant to determine cost benefit analysis of either expanding the existing site or building a new site. The motion passed by unanimous voice vote of the Committee.

**C. Consideration prior to First Reading of an ordinance** providing for the adoption of fiscal year 2010-2011 (**beginning July 1, 2010 and ending June 30, 2011**) **budgets** for the Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by Berkeley County Water and Sanitation.

Committee Member Fish: "Mr. Chairman? I would make a motion to approve that with the....."

Chairman Callanan: "Do we have a presentation by anyone? So, we don't have anything that we have.....ok, I just want to make sure first....go ahead Mr. Fish."

Committee Member Fish: "I want to make a motion that we approve that with the caveat that this next year would not, would not, include any increases in any fees in this new budget."

Chairman Callanan: "I have a motion to approve with an amendment that there will be no increase in rates or fees. Do I have a second?"

Committee Member C. Davis: "Second"

Committee Member S. Davis: "Mr. Chairman?"

Chairman Callanan: "Discussion. Mr. Steve Davis."

Committee Member S. Davis: "Will we have workshops in reference to this budget?"

Chairman Callanan: "Yes we will and do we have an idea when those....."

Committee Member S. Davis: "Before second reading or before third reading or what time?"

Mr. Colin Martin: (Inaudible)

Chairman Callanan: "Is there any way we can get that done earlier, while we have it in Committee?"

Committee Member Fish: "By second reading?"

Chairman Callanan: "Is is possible? I mean we can discuss....we don't have to make a decision now, but, um, I think we have got a few people who want to try and get that....."

Committee Member S. Davis: "We want it, Mr. Chairman, as soon as possible. I don't like the squeeze for third reading. Let's try to get it as soon as possible."

Chairman Callanan: "Ok. Mr. Martin."

Mr. Martin: "That's fine. We will do it as soon as possible, but the budget preparation begun in January. We began earlier, we are ahead of schedule, but still that was caveated on the years precedent that you have set in the past. What I don't want to do is have something without a prepared budget for you to consider all the things that need to be considered."

Committee Member S. Davis: "Well, if you started since January, you should be in good shape to present something to us."

Mr. Martin: "It takes a while, Mr. Davis."



Committee Member S. Davis: "Ok, thank you."

Chairman Callanan: "Is there any further discussion? I have a motion and a second. All those in favor signify by saying Aye? (Ayes) Opposes Nay? (None) Motion carries.

It was moved by Committee Member Fish and seconded by Committee Member C. Davis to **approve** prior to **First Reading** of an **ordinance** providing for the adoption of fiscal year 2010-2011 (**beginning July 1, 2010 and ending June 30, 2011**) **budgets** for the Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by Berkeley County Water and Sanitation **with no increase in rates or fees**. The motion passed by unanimous voice vote of the Committee.

**D. Review prior to Second Reading of Bill No. 10-09, an ordinance to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer Service provided by the Berkeley County Water and Sanitation.**

Chairman Callanan: "Micah?"

Mr. Miley: "First of all I would like to open and say we are talking about four current customers in our systems. We are talking about large industrial users. Users of over 100,000 gallons of water or sewer a day. We're under current contracts with all of these users. I did put names inside of the documentation I was giving you, but if we want to discuss some specifics, we probably should do it in executive session."

Committee Member S. Davis: "Move for approval."

Committee Member Call: "Second"

Chairman Callanan: "I have a motion and a second. On discussion, this was.....we did a presentation, didn't we do a presentation in front of Council on this, what we are talking about, its setting rates for....for very large customers."

Mr. Miley: "With you and Mr. Davis."

Chairman Callanan: "Oh, ok, I'm sorry. For some reason I thought we...did we not do anything during first reading?"

Mr. Miley: "Not yet"

Committee Member Schurlknight: "We discussed it pretty heavily."

Chairman Callanan: "We discussed it.....this was brought up during first reading, so everyone knows what we are talking about. I have a motion and a second. Is there any discussion? Without any further discussion, all those in favor, signify by saying Aye? (Ayes) Opposes Nay? (None) Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member Call to **approve** prior to **Second Reading, Bill No. 10-09**. The motion passed by unanimous voice vote of the Committee.

Chairman Callanan: "And then we have an addendum."

**E. Consideration of a Resolution** of the County Council of Berkeley County, Berkeley County, South Carolina committing the funds to be provided by Berkeley County Water and Sanitation as matching funds for the installation of water lines and service connections for the project known as **Burntwood Neighborhood Water Project**, if awarded, Under the Provisions of the Department of Commerce requirements for the Community Development Block Grant Program (CDBG).

Chairman Callanan: "Mr. Bullock?"

Mr. Bullock: "Yes sir, this is part of the matching funds required as part of the Community Development application. I think we've held a Needs Assessment Hearing and we are an Application Public Hearing tonight and this will provide the matching funds for that application and the funds will be submitted, the application will be submitted, April 19<sup>th</sup>."

Chairman Callanan: "Ok, and so for everyone's recollection, this was the project were one of the residents was...came here and spoke to us as well, she brought signatures....."

Committee Member S. Davis: "Move for approval."

Committee Member Pinckney: "Second"

Chairman Callanan: "For folks who are going tie in. Our contribution to this, just so everyone knows is essentially limited to connection and impact fees, is that right? Ok, I have a motion and a second. Is there any further discussion? Without any further discussion, all those in favor signify by saying Aye? (Ayes) Opposes Nay? (None) Motion carries. I'll entertain a motion to adjourn."

It was moved by Committee Member S. Davis and seconded by Committee Member Pinckney to **approve consideration of a Resolution** of the County Council of Berkeley County, Berkeley County, South Carolina committing the funds to be provided by Berkeley County Water and Sanitation as matching funds for the installation of water lines and service connections for the project known as **Burntwood Neighborhood Water Project**, if awarded,

Under the Provisions of the Department of Commerce requirements for the Community Development Block Grant Program (CDBG). The motion passed by unanimous voice vote of the Committee.

It was moved by Committee Member Fish and seconded by Committee Member S. Davis to **adjourn** the Committee on Water and Sanitation meeting. The motion passed by unanimous voice vote of the Committee.

The meeting ended at 7:32 pm.

May 11, 2010  
Date Approved

**COMMITTEE ON WATER AND SANITATION**  
(Standing Committee of Berkeley County Council)

Chairman: Mr. Timothy J. Callanan, District No. 2  
Members: Mr. Phillip Farley, District No. 1  
Mr. Robert O. Call, Jr., District No. 3  
Mrs. Cathy Davis, District No. 4  
Mr. Dennis L. Fish, District No. 5  
Mr. Jack H. Schurlknight, District No. 6  
Mr. Caldwell Pinckney, Jr., District No. 7  
Mr. Steve C. Davis, District No. 8  
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council will be held on **Monday April 12, 2010**, following the meetings of the Committees on Justice and Public Safety and Land Use at **6:00 p.m.**, in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

**AGENDA**

**APPROVAL OF MINUTES**

**March 8, 2010**

**March 22, 2010**

**A. Mr. Darryl Bullock, Council of Governments, Re: Proclamation declaring April as Fair Housing Month.**

**B. Mr. Micah Miley, Director of Engineering, Berkeley County Water and Sanitation, Re: Central Berkeley Waste Water Treatment Plant increase in budget.**

**C. Consideration prior to First Reading of an ordinance** providing for the adoption of fiscal year 2010-2011 (**beginning July 1, 2010 and ending June 30, 2011**) **budgets** for the Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by Berkeley County Water and Sanitation.

**D. Review prior to Second Reading of Bill No. 10-09, an ordinance** to amend the **Code of Ordinances, Berkeley County, South Carolina**, setting rates, charges and penalties for Water and Sewer Service provided by the **Berkeley County Water and Sanitation**.

**E. Consideration of a Resolution** of the County Council of Berkeley County, Berkeley County, South Carolina committing the funds to be provided by Berkeley County Water and Sanitation as matching funds for the installation of water lines and service connections for the project known as **Burntwood Neighborhood Water Project**, if awarded, Under the Provisions of the Department of Commerce requirements for the Community Development Block Grant Program (CDBG).

April 7, 2010

S/Barbara B. Austin, CCC

Clerk of County Council